



IFW

## REPLY/AMENDMENT FEE TRANSMITTAL

Attorney Docket No.	1568.1075
Application Number	10/688,914
Filing Date	October 21, 2003
First Named Inventor	Bong-Ki KIM
Group Art Unit	1745

AMOUNT ENCLOSED	\$0.00	Examiner Name	Gregg Cantelmo
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### FEE CALCULATION (fees effective 12/08/04)

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	14	- 20 =	0	X \$50.00 =	\$ 0.00
INDEPENDENT CLAIMS	2	- 3 =	0	X \$200.00 =	\$ 0.00
Since an Official Action set an original due date of July 19, 2006, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$120)); (2 months (\$450)); (3 months (\$1,020)); (4 months (\$1,590)); (5 months (\$2,160)):					\$
If Notice of Appeal is enclosed, add (\$500.00)					\$
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$130.00)					\$
Information Disclosure Statement (Rule 1.17(p)) (\$180.00)					\$
Total of above Calculations =					\$ 0.00
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)					\$
TOTAL FEES DUE =					\$ 0.00

- (1) If entry (1) is less than entry (2), entry (3) is "0".  
(2) If entry (2) is less than 20, change entry (2) to "20".  
(4) If entry (4) is less than entry (5), entry (6) is "0".  
(5) If entry (5) is less than 3, change entry (5) to "3".

### METHOD OF PAYMENT

- ☐ Check enclosed as payment. ☐ Credit Card Payment Form, Form PTO-2038(attached).
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☒ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

### GENERAL AUTHORIZATION

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:
- |                      |                          |
|----------------------|--------------------------|
| Deposit Account No.  | 503333                   |
| Deposit Account Name | STEIN, MCEWEN & BUI, LLP |
- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

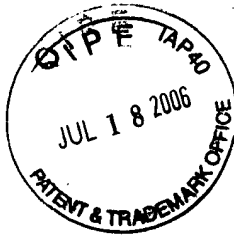
SUBMITTED BY: STEIN, MCEWEN & BUI, LLP

Typed Name	Howard I. Levy	Reg. No.	55,378
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Signature

Date

7/18/04



Docket No.: 1568.1075

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Bong-Ki KIM

Serial No. 10/688,914

Group Art Unit: 1745

Confirmation No. 3924

Filed: October 21, 2003

Examiner: Gregg Cantelmo

For: SECONDARY BATTERY INCLUDING IMPROVED CAP ASSEMBLY AND METHOD OF  
MANUFACTURING THE CAP ASSEMBLY

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action mailed June 19, 2006, having a shortened period for response set to expire on July 19, 2006, the following remarks are provided.

I. **Provisional Election of Claims Pursuant to 37 CFR §1.142**

Applicants provisionally elect **group I, including claims 1-14**, in response to the preliminary restriction requirement set forth in the Office Action.

II. **Applicants Traverse the Requirement**

Insofar as Group II is concerned, it is believed that claims 15-20 are so closely related to elected claims 1-14 that they should remain in the same application. The elected claims 1-14 are directed to a cap assembly and a secondary battery and claims 15-20 are drawn to a method of manufacturing a cap assembly. There have been no references cited to show any necessity for requiring restriction and, in fact, it is believed that the Examiner would find references containing both method and apparatus claims in the same field of technology.

MPEP §803 sets forth the criteria for restriction between patentably distinct inventions. (A) indicates that the inventions must be independent (see MPEP §802.01, §806.04, §808.01) or distinct as claimed (see MPEP §806.05-806.05(i)); and (B) indicates that there must be a serious